



Senate Bill 25 Summary

Title An Act concerning crimes and punishments related to smoking

Sponsor Senator Wysong

Summary Persons are prohibited from smoking in enclosed areas or at public meetings including the following:

- Public places (includes banks, bars, food service establishments, retail service establishments, retail stores, public means of mass transportation, passenger elevators, health care institutions, medical care facilities, educational facilities, libraries, courtrooms, public buildings, restrooms, grocery stores, school buses, museums, theaters, auditoriums, arenas, recreational facilities, and private residences used as day care homes)
- Taxicabs and limousines
- Restrooms, lobbies, hallways, and other common areas in public and private buildings, condominiums, and other multiple-residential facilities
- Restrooms, lobbies, and other common areas in hotels and motels and in at least 80% of the sleeping quarters within a hotel or motel that may be rented to guests
- Access points of all buildings and facilities unless exempted
- Any place of employment

Exempt facilities include outdoor areas of buildings beyond the access point, private homes or residences, hotel or motel rooms within the 20% smoking room allowance, the Kansas soldiers' home, the portion of an adult care home designated a smoking area, the portion of a licensed long-term care unit of a medical care facility designated as a smoking area, and tobacco shops.

Employers having employment facilities that are enclosed are required to provide a smoke-free workplace for all employees and must adopt and maintain a written smoking policy prohibiting smoking in all areas of the place of employment. The smoking prohibition policy must be communicated to all new employees upon hiring.

Penalties for violation of the law apply to both the persons who own, manage, operate, or control the use of the public place who allow smoking to occur when prohibited and the person who smokes in places where it is prohibited. Persons violating the law are fined up to \$100 for the first violation, up to \$200 for the second violation within a one year period after the first violation, and up to \$500 for the third or subsequent violation within that one year time period.

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